

CITY OF EDGERTON
REGULAR COMMON COUNCIL MEETING
EDGERTON CITY HALL, COUNCIL CHAMBERS
12 ALBION STREET

Monday, June 17, 2019 at 7:00 p.m.

1. Call to order; Roll call
2. Pledge of Allegiance.
3. Confirmation of appropriate meeting notice posted on Friday, June 14, 2019.
4. Council acceptance of agenda.
5. Personal appearances for non-agenda items limited to 3 minutes.
 - A. The public will be allowed to speak on agenda items during the meeting.
8. Minutes:
 - A. Consider approval of minutes from June 3, 2019 Council meeting.
9. Committee Reports:
 - A. Finance Committee:
 1. Consider pay request #1 from Johnson Bros for 2019 Sidewalk Replacement Program.
 2. Consider change order #1 from Payne & Dolan, Inc for the S. Main St. overlay.
 3. Consider final pay request from Payne & Dolan, Inc. for the S. Main St. overlay.
 4. Consider approval of bills and payroll vouchers.
 5. Consider approval of licenses.
 - a. "Class A" Combination Liquor & Beer License Renewals for Casey's General Store, agent Heidi Marcyes.
 6. Consider June 22nd date amendment to the public event packet for Annual Gravity Race due to rain out.
 7. Consider public event packet and request to waive fees for Edgerton Police Department's National Night Out.
 8. Consider public event packet and request to waive fees for Art's Council of Edgerton/Vannie Gogh's Showdown Concert.
 9. Consider bids for police department copier purchase.
 10. Consider approving highest auction bid for sale of old speed trailer.
 11. Consider bids for spraying for the pollinator program.
 12. Consider bids for stump removal.
 13. Consider building permit fee modifications.
 14. Consider TIF #5 interest repayment to General Fund.
 15. Consider temporary wage increase for DPW working foreman.
 16. Consider change order to Sweeney Rd project to add resurfacing the section of Chamberlain St between Doty and Sweeney intersections.
 - B. Utility Commission:
 1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meetings.
 2. Consider adoption of City of Edgerton Resolution 16-19: 2018 WWTP Compliance Maintenance Resolution.

C. Public Safety Committee:

1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meetings.

10. Consider time extension to 407 N Main St. purchase agreement with Green Tek.

11. Consider introducing and approve the first reading of City of Edgerton Ordinance 19-06: Creating Chapter 32 "Urban Forestry" and repealing ordinance sections relating to trees.

12. Mayor, alderperson and staff reports.

13. Adjourn.

Notice: If a person with a disability requires that the meeting be accessible or that materials at the meeting be in an accessible format, call the City Administrator's office at least 6 hours prior to the meeting to request adequate accommodations. Telephone: (608) 884-3341.

**JUNE 3, 2019 COMMON COUNCIL MEETING MINUTES
CITY OF EDGERTON**

Mayor Christopher Lund called the meeting to order at 7:02 p.m.

Present: Sarah Braun, David Esau, Candy Davis, Debbie Olson, Anne Radtke and Jim Burdick

Others Present: City Administrator Ramona Flanigan, Public Works Director Tom Hartzell, City Clerk-Treasurer Cindy Hegglund, Utility Director Randy Oren, Public Works Director Tom Hartzell, City Attorney Bill Morgan, and many citizens.

Hegglund confirmed the meeting agendas were properly posted on Friday, May 31, 2019 at the Post Office, Edgerton Library and City Hall.

ACCEPT THE AGENDA: A Candy Davis/Debbie Olson motion to accept the agenda as amended by moving item 7B after item 4 passed, all voted in favor.

PUBLIC APPEARANCES: Mayor Lund and the Common Council presented Retiring Public Works Director Tom Hartzell with a gift and a declaration honoring his 36 years of service with the City of Edgerton.

PUBLIC HEARING: The Council held a public hearing to hear comments regarding sidewalk special assessments for the Sweeney Road Reconstruction Project.

Flanigan reported there are 6 properties that currently do not have sidewalk on the portion of Sweeney Rd that will be reconstructed. The City's policy is to install sidewalk in any area that does not currently have sidewalk when the road is reconstructed.

Karen Jackson, 809 Sweeney Rd asked about the payment schedule for her portion of the sidewalk. She is concerned about any trees that may be placed in the terrace; if there will be problems with roots causing the sidewalk to heave, how the trees will be withstand the pressure of the snow from the plows.

Janna Precourt, 811 Sweeney Rd, asked why the street is being narrowed. Flanigan stated they will be narrowing the street to make the entire road the same width. Studies show narrower streets slow down traffic.

Debbie Olson stated she feels there is no need for a sidewalk on both sides of the road.

Anne Radtke asked why the city requires sidewalks to be installed during re-construction. Flanigan stated that most communities are making an effort to provide complete sidewalks so citizens have an option of walking to different destinations instead of driving. Radtke feels that sidewalk on one side of the street is efficient to provide public safety.

Jim Kapellen, 512 Ridgeway St, stated he feels that all city streets should have sidewalks. Citizens should be allowed to walk in any area of the city and some areas do not have sidewalks therefore they need to walk in the road causing a safety hazard.

Hearing no further comments, the Mayor closed the public hearing.

RESOLUTION 15-19: A Candy Davis/David Esau motion to adopt City of Edgerton Resolution 15-19: Preliminary Resolution declaring the City Council's intentions for the Sweeney Road Reconstruction to exercise special assessment police powers under Sec. 66.0703 Wis. Stats and set the annual installments at 10 years with a 3.5% interest rate if the total assessment is \$200 or more, passed on a 4/3 roll call vote. The Mayor broke the Council's tie vote with a yes vote. Voting against the motion were Debbie Olson, Anne Radtke and Jim Burdick.

MINUTES: A Candy Davis/Anne Radtke motion to approve the minutes from the May 20, 2019 Common Council meeting passed, all voted in favor.

COMMITTEE REPORTS:

Finance Committee: A Candy Davis/David Esau motion to approve the bills and payroll list in the amount of \$163,422.08 passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to deny an Operator's License for Megan Luchsinger passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to deny an Operator's License for Katie Crisp passed on a 6/0 roll call vote.

A Sarah Braun/Jim Burdick motion to approve an Operator's License for Luccas Contreras passed on a 4/1 roll call vote. Ann Radtke voted against the motion. Candy Davis abstained.

A Candy Davis/Debbie Olson motion to approve a Class "B" Beer License renewal for Mario's Italian Restaurant, LLC, agent Carla Zimmerman passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve a Class "B" Beer License renewal for Vannie Gogh, agent Brian Dudgeon passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve a "Class B" Combination Liquor & Beer License renewal for Towne Country Club Inc, agent Michael Hesselman passed on a 6/0 roll call vote.

A Candy Davis/Jim Burdick motion to approve a "Class B" Combination Liquor & Beer License renewal for 2 Brothers Bar & Grill, agent Ilir Banushi passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve a "Class B" Combination Liquor & Beer License renewal for Café on Main, agent Ilir Banushi passed on a 6/0 roll call vote.

A Candy Davis/Debbie Olson motion to approve a “Class B” Combination Liquor & Beer License renewal for El Patron Mexican Grill, agent Alejandro Ramirez passed on a 6/0 roll call vote.

A Candy Davis/Jim Burdick motion to approve a “Class B” Combination Liquor & Beer License renewal for Last Nite Bar & Grill, agent Terri Nottestad passed on a 6/0 roll call vote.

A Candy Davis/Debbie Olson motion to approve a “Class B” Combination Liquor & Beer License renewal for TK’s Decoy Bar & Grill, agents Tom & Carol Kuhlow passed on a 6/0 roll call vote.

A Candy Davis/Debbie Olson motion to approve a “Class B” Combination Liquor & Beer License renewal for The Pit Stop of Edgerton LLC, agent James Lytle passed on a 6/0 roll call vote.

A Candy Davis/Debbie Olson motion to approve a “Class B” Combination Liquor & Beer License renewal for The Baron LLC, agent Ilir Banushi passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve a “Class B” Combination Liquor & Beer License renewal for Lounge 1848, agent Ilir Banushi passed on a 6/0 roll call vote.

Mayor requested to move agenda items 9A3-9A10 before 9A2d, Council members agreed to the request.

A Debbie Olson/Jim Burdick motion to approve a public event packet for the Edgerton FFA Alumni Tractor Pull and waive the fees without extra police overtime and no additional beer garden fencing required passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve a temporary Class “B” Beer License for the Edgerton FFA Alumni Tractor Pull on June 16, 2019 passed on a 6/0 roll call vote.

A Candy Davis/Sarah Brawn motion to approve a public events packet for the Edgerton Lion’s Club Independence Day Celebration and waive the fees with the City to pick up the cost of police overtime with an estimated cost of \$625 passed on a 6/0 roll call vote.

A Candy Davis/Debbie Olson motion to approve a temporary Class “B” Beer License for the Edgerton Lions’ Club on July 3, 2019 passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve a change order for the Sweeney Rd project to include resurfacing approximately 135 feet of Chamberlain St passed on a 6/0 roll call vote.

A Debbie Olson/David Esau motion to amend the agreement with Clark Companies to require the removal of the winter baskets by February 1st providing there is no additional cost passed on a 6/0 roll call vote

A Candy Davis/David Esau motion to approve the agreement with Clark Companies for the landscape service as amended passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve the bid for asbestos assessment at 407 N Main St from Advanced Health and Safety in the amount of \$3,200 passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to adopt the Shared Ride Taxi Procurement Policy addendum regarding the appeals process passed on a 6/0 roll call vote.

A Candy Davis/Debbie Olson motion to approve a Class "A" Beer License renewal for Kwik Trip #675, agent Sarah Pierce passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve a Class "A" Beer License renewal for Stop-n-Go #214, agent Andrew Bowman passed on a 6/0 roll call vote.

A Candy Davis/David Esau motion to approve a "Class A" Combination Liquor & Beer License renewal for Cowley's Family Foods, Inc (Piggly Wiggly), agent Jason Cowley passed on a 6/0 roll call vote.

A Candy Davis/Debbie Olson motion to approve a "Class A" Combination Liquor & Beer License renewal for Game Day Beverage Inc, agent Jasbeer Kaur passed on a 6/0 roll call vote.

A Candy Davis/David Esau motion to approve a "Class A" Combination Liquor & Beer License renewal for Pharmaventures, Inc (Edgerton Pharmacy), agent Genna Gresens passed on a 6/0 roll call vote.

A Candy Davis/David Esau motion to approve a "Class A" Combination Liquor & Beer License renewal for Burns Full Service LLC, agent Casey Burns passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve a "Class A" Combination Liquor & Beer License renewal for K and B LLC (Hotspot Liquor and Smokes), agent Basant Kumar passed on a 4/2 roll call vote. Debbie Olson and Anne Radtke voted against the motion.

A Candy Davis/Sarah Braun motion to approve a Class "C" Wine License renewal for Vannie Gogh, agent Brian Dudgeon passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve a Cigarette & Tobacco License renewal for Family Dollar Stores of WI passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve a Cigarette & Tobacco License renewal for Game Day Beverage, Inc passed on a 6/0 roll call vote.

A Candy Davis/David Esau motion to approve a Cigarette & Tobacco License renewal for Cowley's Family Foods, Inc (Piggly Wiggly) passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve a Cigarette & Tobacco License renewal for 2 Brothers Bar & Grill passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve a Cigarette & Tobacco License renewal for Kwik Trip #675 passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve a Cigarette & Tobacco License renewal for Stop-n-Go #214 passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve a Cigarette & Tobacco License renewal for Burns Full Service, LLC passed on a 6/0 roll call vote.

A Candy Davis/David Esau motion to approve a Cigarette & Tobacco License renewal for Casey's General Store passed on a 6/0 roll call vote.

Candy Davis/Debbie Olson moved to approve the following Dance Hall permits:

- The Baron LLC
- 2 Brothers Bar & Grill
- Lounge 1848
- TK's Decoy Bar & Grill
- Edgerton Towne Country Club, Inc
- Last Nite Bar & Grill

The motion passed on a 6/0 roll call vote.

Candy Davis/David Esau moved to approve the following Sandwich Board permits:

- The Baron, LLC
- 2 Brothers Bar & Grill
- Lounge 1848
- Game Day Beverage, Inc
- Emmaus Community Church
- Perfect Corner
- Ripples Resale
- Hemp 1848

Jim Burdick requested to include location restrictions to business owners when the Sandwich Board permits are issued.

The motion passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve Private Property on Public Sidewalk permits to Burns Full Service, LLC and Ripples Resale passed on a 6/0 roll call vote.

EASEMENT FOR SUBSTATION ON SOUTH AVE: A Candy Davis/Debbie Olson motion to approve a request from Alliant Energy for an easement at the substation located on South Ave passed on a 6/0 roll call vote.

LIFTING HIRING FREEZE: A Debbie Olson/David Esau motion to lift the hiring freeze to hire a DPW operator passed on a 6/0 roll call vote.

Being no other business before the Council, a Candy Davis/David Esau motion to adjourn passed, all voted in favor.

Cindy Hegglund/wl
City Clerk-Treasurer

Adopted June 17, 2019

Memo

To: Common Council
From: Staff
Date: 6/14/2019
Re: June 17, 2019 Meeting

PD Copier Bids: The 2019 budget included \$8,000 for the purchase of a copier. The low bid is from Dimax for \$2,958. Please note the cost to ship the old copier is \$150.

Spraying bids for pollinator project: Please recall the City applied to the Bee and Butterfly Habitat Fund grant program that provides free pollinator seed. To prepare the site for the seed, it is customary to spray the area with glyphosate (Roundup). The City obtained 3 bids with the low bid being from Landmark for \$660 which included two sprayings at both sites. The Public Works Committee recommended proceeding with the spraying if the City receives the seed grant.

Purchase Agreement Amendment for 407 N Main St: To complete the environmental analysis, the City requested, and the owner agreed, to a 3 month extension of the purchase agreement for 407 N Main. The extension requires the City complete its due diligence work by September 30, 2019.

Stump removal: Quotes will be available at Monday's meeting.

Sweeney Road Project change order #2: The PW Committee asked for an estimate to resurface the 540' section of Chamberlain Street from Doty to Sweeney Road as part of the Sweeney Road project as this section will be the only section of Chamberlain that would not have been recently resurfaced. The estimated cost of this additional work is \$21,600. If approved, this would be a change order to the Sweeney Road project and would come from the 2019 borrowing.

Building permit fees: Upon the retirement of the Public Works Director, the duty to issue all locally issued permits (i.e. fence, signs, etc.) was transferred to existing staff, except for decks. Staff is recommending deck permits be issued by the building inspector given the nature of the work (footings, framing, etc.). The rate for a deck permit would have to increase to the building inspection company's rate which is \$0.61 / sf or a minimum of \$121 from the current rate of \$45.

TIF #5 interest: Historically, the City has charged a TIF District interest on funds the City has advanced (loaned) to it. The interest rate charged is the same rate the City would have received on the funds had they been in savings. TIF #5 will retire next year thus staff is recommending the Council charge the TIF interest on all advances. For TIF #5, that amount is estimated to be \$5,032.71.

Wages for temporary “foreman” of Public Works Department: One of the public works operators, Kevin Gehrke, is currently in charge of the department. By policy, the in charge operator receives \$0.75/ per hour to be in-charge. In the absence of the Public Works Director, Kevin will be taking additional responsibilities such as answering emergency calls after hours on Monday – Thursdays. Because of this additional responsibility, staff is recommending the wage of the working foreman be temporarily increased from \$0.75 per hour to \$1.50 per hour and that the pay rate be retroactive to June 10.

Tree Ordinance: Attached is a draft tree ordinance that consolidates the existing tree regulations in the code book and adds general language regarding trees. Below are the major ordinance provisions and policy items to discuss:

Major Ordinance Provisions

- Establishes powers and duties of the Tree Advisory Board
- Establishes powers and duties of City Forester
- Adopts standards
- Establishes language regarding the removal of dead or dangerous trees
- Defines nuisances and directs their abatement
- Provides regulations and permit requirements for public trees
- One member of the Tree Board will be a City Council member
- Public utilities will not be required to get a permit to trim public trees but are required to notify the City
- Private Citizens are not responsible to pay to remove diseased trees in the terrace adjacent to their property
- The Tree Board is advisory to the City Forester
- Owners of diseased trees must remove/and or respond to a notice to remove a tree within 30 days of a notice being sent
- The fine for noncompliance is \$50-\$500?

**CITY OF EDGERTON
RESOLUTION 16-19**

2018 COMPLIANCE MAINTENANCE RESOLUTION

RESOLVED that the City of Edgerton informs the Department of Natural Resources that the following actions were taken by the Common Council:

1. Reviewed the Compliance Maintenance Annual Report that is attached to this Resolution.
2. Continue to provide for the operation and maintenance of the Wastewater Treatment Facility in order to maintain effluent requirements contained in the WPDES Permit.

Motion by:

Seconded by:

Roll Call: Yeas: Noes:

Dated: June 17, 2019

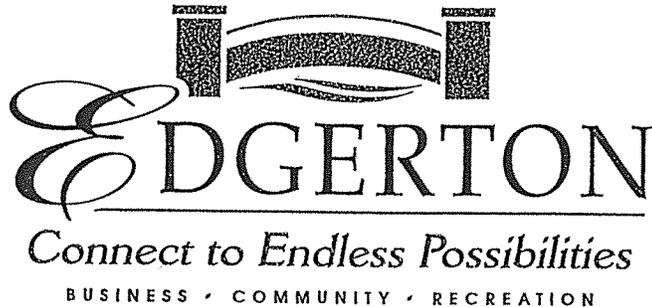
Christopher W. Lund, Mayor

ATTEST:

Ramona Flanigan, City Administrator

Notice: Completion of this report is required under Chapter NR 208, Wis. Adm. Code. Failure to provide requested information may result in a fine of not less than \$10 and not greater than \$10,000, and a false statement on this form may result in the above fine, or imprisonment for not more than 6 months or both. (Source: Secs 283.91(2) and (4), Stats.) Personally identifiable information on this form will be used for administering the wastewater Compliance Maintenance Program and will also be available to requesters per Wisconsin Open Records law (ss. 19.31-19.39 Wis. Stats.)

Facility Name	Edgerton Wastewater Treatment Plant
Permit Number	0020346-6
Address	500 Highway St Edgerton, WI 53534
County	Rock & Dane
Current Population Served	5465
(Person Completing Form) Name	James K Reilly
Title	Operator - In - Charge
Date Completed	5/22/19



Compliance Maintenance Annual Report

Edgerton Wastewater Treatment Facility

Last Updated: Reporting For:
5/22/2019 **2018**

Influent Flow and Loading

1. Monthly Average Flows and (C)BOD Loadings

1.1 Verify the following monthly flows and (C)BOD loadings to your facility.

Influent No. 701	Influent Monthly Average Flow, MGD	x	Influent Monthly Average (C)BOD Concentration mg/L	x	8.34	=	Influent Monthly Average (C)BOD Loading, lbs/day
January	0.5168	x	262	x	8.34	=	1,130
February	0.6442	x	250	x	8.34	=	1,344
March	0.5202	x	239	x	8.34	=	1,035
April	0.5653	x	226	x	8.34	=	1,066
May	0.7456	x	203	x	8.34	=	1,262
June	0.8538	x	188	x	8.34	=	1,338
July	0.6203	x	209	x	8.34	=	1,083
August	0.9304	x	195	x	8.34	=	1,514
September	1.0812	x	135	x	8.34	=	1,214
October	1.1998	x	127	x	8.34	=	1,275
November	0.7126	x	207	x	8.34	=	1,230
December	0.6583	x	206	x	8.34	=	1,133

2. Maximum Monthly Design Flow and Design (C)BOD Loading

2.1 Verify the design flow and loading for your facility.

Design	Design Factor	x	%	=	% of Design
Max Month Design Flow, MGD	1.372	x	90	=	1.2348
		x	100	=	1.372
Design (C)BOD, lbs/day	1657	x	90	=	1491.3
		x	100	=	1657

2.2 Verify the number of times the flow and (C)BOD exceeded 90% or 100% of design, points earned, and score:

	Months of Influent	Number of times flow was greater than 90% of	Number of times flow was greater than 100% of	Number of times (C)BOD was greater than 90% of design	Number of times (C)BOD was greater than 100% of design
January	1	0	0	0	0
February	1	0	0	0	0
March	1	0	0	0	0
April	1	0	0	0	0
May	1	0	0	0	0
June	1	0	0	0	0
July	1	0	0	0	0
August	1	0	0	1	0
September	1	0	0	0	0
October	1	0	0	0	0
November	1	0	0	0	0
December	1	0	0	0	0
Points per each		2	1	3	2
Exceedances		0	0	1	0
Points		0	0	3	0
Total Number of Points					3

Compliance Maintenance Annual Report

Edgerton Wastewater Treatment Facility

Last Updated: Reporting For:

5/22/2019

2018

3. Flow Meter

3.1 Was the influent flow meter calibrated in the last year?

- Yes

Enter last calibration date (MM/DD/YYYY)

2018-05-02

- No

If No, please explain:

4. Sewer Use Ordinance

4.1 Did your community have a sewer use ordinance that limited or prohibited the discharge of excessive conventional pollutants ((C)BOD, SS, or pH) or toxic substances to the sewer from industries, commercial users, hauled waste, or residences?

- Yes

- No

If No, please explain:

4.2 Was it necessary to enforce the ordinance?

- Yes

- No

If Yes, please explain:

5. Septage Receiving

5.1 Did you have requests to receive septage at your facility?

Septic Tanks

Holding Tanks

Grease Traps

- Yes

- Yes

- Yes

- No

- No

- No

5.2 Did you receive septage at your facility? If yes, indicate volume in gallons.

Septic Tanks

- Yes

gallons

- No

Holding Tanks

- Yes

gallons

- No

Grease Traps

- Yes

gallons

- No

5.2.1 If yes to any of the above, please explain if plant performance is affected when receiving any of these wastes.

6. Pretreatment

6.1 Did your facility experience operational problems, permit violations, biosolids quality concerns, or hazardous situations in the sewer system or treatment plant that were attributable to commercial or industrial discharges in the last year?

- Yes

- No

If yes, describe the situation and your community's response.

Compliance Maintenance Annual Report

Edgerton Wastewater Treatment Facility

Last Updated: Reporting For:
5/22/2019 **2018**

Yes

No

If yes, describe the types of wastes received and any procedures or other restrictions that were in place to protect the facility from the discharge of hauled industrial wastes.

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Total Points Generated	3
Score (100 - Total Points Generated)	97
Section Grade	A

Compliance Maintenance Annual Report

Edgerton Wastewater Treatment Facility

Last Updated: Reporting For:
5/22/2019 **2018**

Effluent Quality and Plant Performance (BOD/CBOD)

1. Effluent (C)BOD Results

1.1 Verify the following monthly average effluent values, exceedances, and points for BOD or CBOD

Outfall No. 001	Monthly Average Limit (mg/L)	90% of Permit Limit > 10 (mg/L)	Effluent Monthly Average (mg/L)	Months of Discharge with a Limit	Permit Limit Exceedance	90% Permit Limit Exceedance
January	25	22.5	4	1	0	0
February	25	22.5	7	1	0	0
March	25	22.5	6	1	0	0
April	25	22.5	7	1	0	0
May	25	22.5	3	1	0	0
June	25	22.5	2	1	0	0
July	25	22.5	1	1	0	0
August	25	22.5	2	1	0	0
September	25	22.5	2	1	0	0
October	30	27	3	1	0	0
November	30	27	4	1	0	0
December	30	27	4	1	0	0

* Equals limit if limit is <= 10

Months of discharge/yr	12		
Points per each exceedance with 12 months of discharge		7	3
Exceedances		0	0
Points		0	0
Total number of points			0

NOTE: For systems that discharge intermittently to state waters, the points per monthly exceedance for this section shall be based upon a multiplication factor of 12 months divided by the number of months of discharge. Example: For a wastewater facility discharging only 6 months of the year, the multiplication factor is $12/6 = 2.0$

1.2 If any violations occurred, what action was taken to regain compliance?

2. Flow Meter Calibration

2.1 Was the effluent flow meter calibrated in the last year?

Yes Enter last calibration date (MM/DD/YYYY)

2018-05-02

No

If No, please explain:

3. Treatment Problems

3.1 What problems, if any, were experienced over the last year that threatened treatment?

None

4. Other Monitoring and Limits

4.1 At any time in the past year was there an exceedance of a permit limit for any other pollutants such as chlorides, pH, residual chlorine, fecal coliform, or metals?

Yes

No

Compliance Maintenance Annual Report

Edgerton Wastewater Treatment Facility

Last Updated: Reporting For:
5/22/2019 2018

If Yes, please explain:

4.2 At any time in the past year was there a failure of an effluent acute or chronic whole effluent toxicity (WET) test?

- Yes
- No

If Yes, please explain:

4.3 If the biomonitoring (WET) test did not pass, were steps taken to identify and/or reduce source(s) of toxicity?

- Yes
- No
- N/A

Please explain unless not applicable:

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

Compliance Maintenance Annual Report

Edgerton Wastewater Treatment Facility

Last Updated: Reporting For:

5/22/2019

2018

Effluent Quality and Plant Performance (Total Suspended Solids)

1. Effluent Total Suspended Solids Results

1.1 Verify the following monthly average effluent values, exceedances, and points for TSS:

Outfall No. 001	Monthly Average Limit (mg/L)	90% of Permit Limit >10 (mg/L)	Effluent Monthly Average (mg/L)	Months of Discharge with a Limit	Permit Limit Exceedance	90% Permit Limit Exceedance
January	30	27	9	1	0	0
February	30	27	12	1	0	0
March	30	27	11	1	0	0
April	30	27	11	1	0	0
May	30	27	8	1	0	0
June	30	27	6	1	0	0
July	30	27	5	1	0	0
August	30	27	6	1	0	0
September	30	27	4	1	0	0
October	30	27	7	1	0	0
November	30	27	5	1	0	0
December	30	27	5	1	0	0

* Equals limit if limit is <= 10

Months of Discharge/yr	12		
Points per each exceedance with 12 months of discharge:	7	3	
Exceedances	0	0	
Points	0	0	
Total Number of Points		0	

NOTE: For systems that discharge intermittently to state waters, the points per monthly exceedance for this section shall be based upon a multiplication factor of 12 months divided by the number of months of discharge.

Example: For a wastewater facility discharging only 6 months of the year, the multiplication factor is $12/6 = 2.0$

1.2 If any violations occurred, what action was taken to regain compliance?

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

Compliance Maintenance Annual Report

Edgerton Wastewater Treatment Facility

Last Updated: Reporting For:
5/22/2019 2018

Effluent Quality and Plant Performance (Ammonia - NH3)

1. Effluent Ammonia Results

1.1 Verify the following monthly and weekly average effluent values, exceedances and points for ammonia

Outfall No. 001	Monthly Average NH3 Limit (mg/L)	Weekly Average NH3 Limit (mg/L)	Effluent Monthly Average NH3 (mg/L)	Monthly Permit Limit Exceedance	Effluent Weekly Average for Week 1	Effluent Weekly Average for Week 2	Effluent Weekly Average for Week 3	Effluent Weekly Average for Week 4	Weekly Permit Limit Exceedance
January									
February									
March									
April									
May									
June									
July									
August									
September									
October	24		.0875	0					
November	24		.079166667	0					
December	24		0	0					
Points per each exceedance of Monthly average:									10
Exceedances, Monthly:									0
Points:									0
Points per each exceedance of weekly average (when there is no monthly average):									2.5
Exceedances, Weekly:									0
Points:									0
Total Number of Points									0

0

NOTE: Limit exceedances are considered for monthly OR weekly averages but not both. When a monthly average limit exists it will be used to determine exceedances and generate points. This will be true even if a weekly limit also exists. When a weekly average limit exists and a monthly limit does not exist, the weekly limit will be used to determine exceedances and generate points.

1.2 If any violations occurred, what action was taken to regain compliance?

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

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Effluent Quality and Plant Performance (Phosphorus)

1. Effluent Phosphorus Results

1.1 Verify the following monthly average effluent values, exceedances, and points for Phosphorus

Outfall No. 001	Monthly Average phosphorus Limit (mg/L)	Effluent Monthly Average phosphorus (mg/L)	Months of Discharge with a Limit	Permit Limit Exceedance
January	1	0.278	1	0
February	1	0.299	1	0
March	1	0.307	1	0
April	1	0.274	1	0
May	1	0.179	1	0
June	1	0.202	1	0
July	1	0.265	1	0
August	1	0.275	1	0
September	1	0.362	1	0
October	1	0.229	1	0
November	1	0.268	1	0
December	1	0.287	1	0
Months of Discharge/yr			12	
Points per each exceedance with 12 months of discharge:				10
Exceedances				0
Total Number of Points				0

0

NOTE: For systems that discharge intermittently to waters of the state, the points per monthly exceedance for this section shall be based upon a multiplication factor of 12 months divided by the number of months of discharge.

Example: For a wastewater facility discharging only 6 months of the year, the multiplication factor is $12/6 = 2.0$

1.2 If any violations occurred, what action was taken to regain compliance?

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

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Biosolids Quality and Management

1. Biosolids Use/Disposal

1.1 How did you use or dispose of your biosolids? (Check all that apply)

- Land applied under your permit
- Publicly Distributed Exceptional Quality Biosolids
- Hauled to another permitted facility
- Landfilled
- Incinerated
- Other

NOTE: If you did not remove biosolids from your system, please describe your system type such as lagoons, reed beds, recirculating sand filters, etc.

1.1.1 If you checked Other, please describe:

3. Biosolids Metals

Number of biosolids outfalls in your WPDES permit:

3.1 For each outfall tested, verify the biosolids metal quality values for your facility during the last calendar year.

Outfall No. 003 - SLUDGE - DRYING BEDS SOLIDS

Parameter	80% of Limit	H.Q. Limit	Ceiling Limit	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	80% Value	High Quality	Ceiling
Arsenic		41	75				2										0	0
Cadmium		39	85				1.2										0	0
Copper		1500	4300				360										0	0
Lead		300	840				20										0	0
Mercury		17	57				.31										0	0
Molybdenum	60		75				5.1									0		0
Nickel	336		420				16									0		0
Selenium	80		100				11									0		0
Zinc		2800	7500				550										0	0

Outfall No. 002 - SLUDGE - LIQUID

Parameter	80% of Limit	H.Q. Limit	Ceiling Limit	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	80% Value	High Quality	Ceiling
Arsenic		41	75														0	0
Cadmium		39	85														0	0
Copper		1500	4300														0	0
Lead		300	840														0	0
Mercury		17	57														0	0
Molybdenum	60		75													0		0
Nickel	336		420													0		0
Selenium	80		100													0		0
Zinc		2800	7500														0	0

3.1.1 Number of times any of the metals exceeded the high quality limits OR 80% of the limit for molybdenum, nickel, or selenium = 0

Exceedence Points

- 0 (0 Points)
- 1-2 (10 Points)
- > 2 (15 Points)

3.1.2 If you exceeded the high quality limits, did you cumulatively track the metals loading at each land application site? (check applicable box)

- Yes

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- No (10 points)
 - N/A - Did not exceed limits or no HQ limit applies (0 points)
 - N/A - Did not land apply biosolids until limit was met (0 points)
- 3.1.3 Number of times any of the metals exceeded the ceiling limits = 0
Exceedence Points
- 0 (0 Points)
 - 1 (10 Points)
 - > 1 (15 Points)
- 3.1.4 Were biosolids land applied which exceeded the ceiling limit?
- Yes (20 Points)
 - No (0 Points)
- 3.1.5 If any metal limit (high quality or ceiling) was exceeded at any time, what action was taken?
Has the source of the metals been identified?

0

4. Pathogen Control (per outfall):

4.1 Verify the following information. If any information is incorrect, use the Report Issue button under the Options header in the left-side menu.

Outfall Number:	003
Biosolids Class:	B
Bacteria Type and Limit:	Fecal Coliform
Sample Dates:	01/01/2018 - 12/31/2018
Density:	0
Sample Concentration Amount:	CFU/G TS
Requirement Met:	Yes
Land Applied:	No
Process:	Aerobic Digestion
Process Description:	Aerobic digestion retention before discharge to the drying beds is greater than 60 days.

0

4.2 If exceeded Class B limit or did not meet the process criteria at the time of land application.

4.2.1 Was the limit exceeded or the process criteria not met at the time of land application?

- Yes (40 Points)
- No

If yes, what action was taken?

5. Vector Attraction Reduction (per outfall):

5.1 Verify the following information. If any of the information is incorrect, use the Report Issue button under the Options header in the left-side menu.

Outfall Number:	003
Method Date:	05/14/2018
Option Used To Satisfy Requirement:	Volatile Solids Reduction
Requirement Met:	Yes
Land Applied:	No
Limit (if applicable):	>=38
Results (if applicable):	83

5.2 Was the limit exceeded or the process criteria not met at the time of land application?

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<input type="radio"/> Yes (40 Points) <input checked="" type="radio"/> No If yes, what action was taken? <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>	0
6. Biosolids Storage 6.1 How many days of actual, current biosolids storage capacity did your wastewater treatment facility have either on-site or off-site? <input checked="" type="radio"/> >= 180 days (0 Points) <input type="radio"/> 150 - 179 days (10 Points) <input type="radio"/> 120 - 149 days (20 Points) <input type="radio"/> 90 - 119 days (30 Points) <input type="radio"/> < 90 days (40 Points) <input type="radio"/> N/A (0 Points) 6.2 If you checked N/A above, explain why. <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>	0
7. Issues 7.1 Describe any outstanding biosolids issues with treatment, use or overall management: <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">None</div>	

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

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Staffing and Preventative Maintenance (All Treatment Plants)

1. Plant Staffing

1.1 Was your wastewater treatment plant adequately staffed last year?

- Yes
- No

If No, please explain:

Could use more help/staff for:

1.2 Did your wastewater staff have adequate time to properly operate and maintain the plant and fulfill all wastewater management tasks including recordkeeping?

- Yes
- No

If No, please explain:

2. Preventative Maintenance

2.1 Did your plant have a documented AND implemented plan for preventative maintenance on major equipment items?

- Yes (Continue with question 2)
- No (40 points)

If No, please explain, then go to question 3:

2.2 Did this preventative maintenance program depict frequency of intervals, types of lubrication, and other tasks necessary for each piece of equipment?

- Yes
- No (10 points)

2.3 Were these preventative maintenance tasks, as well as major equipment repairs, recorded and filed so future maintenance problems can be assessed properly?

- Yes
 - Paper file system
 - Computer system
- Both paper and computer system
- No (10 points)

0

3. O&M Manual

3.1 Does your plant have a detailed O&M and Manufacturer Equipment Manuals that can be used as a reference when needed?

- Yes
- No

4. Overall Maintenance /Repairs

4.1 Rate the overall maintenance of your wastewater plant.

- Excellent
- Very good
- Good
- Fair
- Poor

Describe your rating:

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Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

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Operator Certification and Education

1. Operator-In-Charge

1.1 Did you have a designated operator-in-charge during the report year?

- Yes (0 points)
- No (20 points)

Name:

JAMES K REILLY

Certification No:

31691

0

2. Certification Requirements

2.1 In accordance with Chapter NR 114.56 and 114.57, Wisconsin Administrative Code, what level and subclass(es) were required for the operator-in-charge (OIC) to operate the wastewater treatment plant and what level and subclass(es) were held by the operator-in-charge?

Sub Class	SubClass Description	WWTP	OIC		
		Basic	OIT	Basic	Advanced
A1	Suspended Growth Processes	X			X
A2	Attached Growth Processes				X
A3	Recirculating Media Filters				
A4	Ponds, Lagoons and Natural				
A5	Anaerobic Treatment Of Liquid				
B	Solids Separation	X			X
C	Biological Solids/Sludges	X			X
P	Total Phosphorus	X			X
N	Total Nitrogen				
D	Disinfection	X			X
L	Laboratory	X			X
U	Unique Treatment Systems				
SS	Sanitary Sewage Collection	X	NA	NA	NA

0

2.2 Was the operator-in-charge certified at the appropriate level and subclass(es) to operate this plant? (Note: Certification in subclass SS, N and A5 not required in 2018; subclass SS is basic level only.)

- Yes (0 points)
- No (20 points)

3. Succession Planning

3.1 In the event of the loss of your designated operator-in-charge, did you have a contingency plan to ensure the continued proper operation and maintenance of the plant that includes one or more of the following options (check all that apply)?

- One or more additional certified operators on staff
- An arrangement with another certified operator
- An arrangement with another community with a certified operator
- An operator on staff who has an operator-in-training certificate for your plant and is expected to be certified within one year
- A consultant to serve as your certified operator
- None of the above (20 points)

If "None of the above" is selected, please explain:

0

4. Continuing Education Credits

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4.1 If you had a designated operator-in-charge, was the operator-in-charge earning Continuing Education Credits at the following rates?

OIT and Basic Certification:

- Averaging 6 or more CECs per year.
- Averaging less than 6 CECs per year.

Advanced Certification:

- Averaging 8 or more CECs per year.
- Averaging less than 8 CECs per year.

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

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Financial Management

<p>1. Provider of Financial Information</p> <p>Name: <input style="width: 150px;" type="text" value="Cindy heggland"/></p> <p>Telephone: <input style="width: 150px;" type="text" value="608-884-3341"/> (XXX) XXX-XXXX</p> <p>E-Mail Address (optional): <input style="width: 300px;" type="text" value="cheggland@cityofedgerton.com"/></p>													
<p>2. Treatment Works Operating Revenues</p> <p>2.1 Are User Charges or other revenues sufficient to cover O&M expenses for your wastewater treatment plant AND/OR collection system ?</p> <p>● Yes (0 points) <input type="checkbox"/><input type="checkbox"/></p> <p>○ No (40 points)</p> <p>If No, please explain:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p>2.2 When was the User Charge System or other revenue source(s) last reviewed and/or revised? Year: <input style="width: 100px;" type="text" value="2018"/></p> <p>● 0-2 years ago (0 points) <input type="checkbox"/><input type="checkbox"/></p> <p>○ 3 or more years ago (20 points) <input type="checkbox"/><input type="checkbox"/></p> <p>○ N/A (private facility)</p> <p>2.3 Did you have a special account (e.g., CWFPP required segregated Replacement Fund, etc.) or financial resources available for repairing or replacing equipment for your wastewater treatment plant and/or collection system?</p> <p>● Yes (0 points)</p> <p>○ No (40 points)</p>	0												
<p>REPLACEMENT FUNDS [PUBLIC MUNICIPAL FACILITIES SHALL COMPLETE QUESTION 3]</p>													
<p>3. Equipment Replacement Funds</p> <p>3.1 When was the Equipment Replacement Fund last reviewed and/or revised? Year: <input style="width: 100px;" type="text" value="2017"/></p> <p>● 1-2 years ago (0 points) <input type="checkbox"/><input type="checkbox"/></p> <p>○ 3 or more years ago (20 points) <input type="checkbox"/><input type="checkbox"/></p> <p>○ N/A</p> <p>If N/A, please explain:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>													
<p>3.2 Equipment Replacement Fund Activity</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">3.2.1 Ending Balance Reported on Last Year's CMAR</td> <td style="width: 5%; text-align: right;">\$</td> <td style="width: 35%; border: 1px solid black; text-align: right;">0.00</td> </tr> <tr> <td>3.2.2 Adjustments - if necessary (e.g. earned interest, audit correction, withdrawal of excess funds, increase making up previous shortfall, etc.)</td> <td style="text-align: right;">\$</td> <td style="border: 1px solid black; text-align: right;">0.00</td> </tr> <tr> <td>3.2.3 Adjusted January 1st Beginning Balance</td> <td style="text-align: right;">\$</td> <td style="border: 1px solid black; text-align: right;">0.00</td> </tr> <tr> <td>3.2.4 Additions to Fund (e.g. portion of User Fee, earned interest, etc.)</td> <td style="text-align: right;">\$</td> <td style="border: 1px solid black; text-align: right;">73,137.06</td> </tr> </table>	3.2.1 Ending Balance Reported on Last Year's CMAR	\$	0.00	3.2.2 Adjustments - if necessary (e.g. earned interest, audit correction, withdrawal of excess funds, increase making up previous shortfall, etc.)	\$	0.00	3.2.3 Adjusted January 1st Beginning Balance	\$	0.00	3.2.4 Additions to Fund (e.g. portion of User Fee, earned interest, etc.)	\$	73,137.06	+
3.2.1 Ending Balance Reported on Last Year's CMAR	\$	0.00											
3.2.2 Adjustments - if necessary (e.g. earned interest, audit correction, withdrawal of excess funds, increase making up previous shortfall, etc.)	\$	0.00											
3.2.3 Adjusted January 1st Beginning Balance	\$	0.00											
3.2.4 Additions to Fund (e.g. portion of User Fee, earned interest, etc.)	\$	73,137.06											

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3.2.5 Subtractions from Fund (e.g., equipment replacement, major repairs - use description box 3.2.6.1 below*) -

\$ 13,754.63

3.2.6 Ending Balance as of December 31st for CMAR Reporting Year

\$ 59,382.43

All Sources: This ending balance should include all Equipment Replacement Funds whether held in a bank account(s), certificate(s) of deposit, etc.

3.2.6.1 Indicate adjustments, equipment purchases, and/or major repairs from 3.2.5 above.

WWTP Repairs

3.3 What amount should be in your Replacement Fund?

\$ 0.00

0

Please note: If you had a CWF loan, this amount was originally based on the Financial Assistance Agreement (FAA) and should be regularly updated as needed. Further calculation instructions and an example can be found by clicking the SectionInstructions link under Info header in the left-side menu.

3.3.1 Is the December 31 Ending Balance in your Replacement Fund above, (#3.2.6) equal to, or greater than the amount that should be in it (#3.3)?

- Yes
- No

If No, please explain.

4. Future Planning

4.1 During the next ten years, will you be involved in formal planning for upgrading, rehabilitating, or new construction of your treatment facility or collection system?

- Yes - If Yes, please provide major project information, if not already listed below.
- No

Project #	Project Description	Estimated Cost	Approximate Construction Year
1	New Treatment plant	11000000	2017

5. Financial Management General Comments

None

ENERGY EFFICIENCY AND USE

6. Collection System

6.1 Energy Usage

6.1.1 Enter the monthly energy usage from the different energy sources:

COLLECTION SYSTEM PUMPAGE: Total Power Consumed

Number of Municipally Owned Pump/Lift Stations:

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	Electricity Consumed (kWh)	Natural Gas Consumed (therms)
January	1,926	48
February	1,704	38
March	1,417	6
April	1,065	27
May	441	1
June	460	1
July	430	1
August	504	0
September	406	1
October	645	3
November	1,321	30
December	1,652	72
Total	11,971	228
Average	998	21

6.1.2 Comments:

All numbers are before multiplier

6.2 Energy Related Processes and Equipment

6.2.1 Indicate equipment and practices utilized at your pump/lift stations (Check all that apply):

- Comminution or Screening
- Extended Shaft Pumps
- Flow Metering and Recording
- Pneumatic Pumping
- SCADA System
- Self-Priming Pumps
- Submersible Pumps
- Variable Speed Drives
- Other:

6.2.2 Comments:

6.3 Has an Energy Study been performed for your pump/lift stations?

No

Yes

Year:

2017

By Whom:

Cedarcorp

Describe and Comment:

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6.4 Future Energy Related Equipment

6.4.1 What energy efficient equipment or practices do you have planned for the future for your pump/lift stations?

None

7. Treatment Facility

7.1 Energy Usage

7.1.1 Enter the monthly energy usage from the different energy sources:

TREATMENT PLANT: Total Power Consumed/Month

	Electricity Consumed (kWh)	Total Influent Flow (MG)	Electricity Consumed/Flow (kWh/MG)	Total Influent BOD (1000 lbs)	Electricity Consumed/Total Influent BOD (kWh/1000lbs)	Natural Gas Consumed (therms)
January	275	16.02	17	35.03	8	544
February	252	18.04	14	37.63	7	491
March	273	16.13	17	32.09	9	331
April	224	16.96	13	31.98	7	253
May	243	23.11	11	39.12	6	28
June	268	25.61	10	40.14	7	19
July	256	19.23	13	33.57	8	15
August	316	28.84	11	46.93	7	17
September	272	32.44	8	36.42	7	40
October	259	37.19	7	39.53	7	114
November	331	21.38	15	36.90	9	338
December	300	20.41	15	35.12	9	414
Total	3,269	275.36		444.46		2,604
Average	272	22.95	13	37.04	8	217

7.1.2 Comments:

All numbers are before multiplier

7.2 Energy Related Processes and Equipment

7.2.1 Indicate equipment and practices utilized at your treatment facility (Check all that apply):

- Aerobic Digestion
- Anaerobic Digestion
- Biological Phosphorus Removal
- Coarse Bubble Diffusers
- Dissolved O2 Monitoring and Aeration Control
- Effluent Pumping
- Fine Bubble Diffusers
- Influent Pumping
- Mechanical Sludge Processing
- Nitrification
- SCADA System
- UV Disinfection
- Variable Speed Drives
- Other:

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7.2.2 Comments:

7.3 Future Energy Related Equipment

7.3.1 What energy efficient equipment or practices do you have planned for the future for your treatment facility?

Discussing solar power

8. Biogas Generation

8.1 Do you generate/produce biogas at your facility?

No

Yes

If Yes, how is the biogas used (Check all that apply):

Flared Off

Building Heat

Process Heat

Generate Electricity

Other:

9. Energy Efficiency Study

9.1 Has an Energy Study been performed for your treatment facility?

No

Yes

Entire facility

Year:

2017

By Whom:

Cedarcorp

Describe and Comment:

Engineering firm completed study in 2017

Part of the facility

Year:

By Whom:

Describe and Comment:

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Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

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Sanitary Sewer Collection Systems

1. Capacity, Management, Operation, and Maintenance (CMOM) Program

1.1 Do you have a CMOM program that is being implemented?

- Yes
- No

If No, explain:

1.2 Do you have a CMOM program that contains all the applicable components and items according to Wisc. Adm Code NR 210.23 (4)?

- Yes
- No (30 points)
- N/A

If No or N/A, explain:

1.3 Does your CMOM program contain the following components and items? (check the components and items that apply)

- Goals [NR 210.23 (4)(a)]

Describe the major goals you had for your collection system last year:

Jet 50% of sewer system, clean lift stations, root cut/ kill problem areas, exercise valves/gates at WWTP, easement maintenance, Vactor maintenance and lift station maintenance

Did you accomplish them?

- Yes
- No

If No, explain:

- Organization [NR 210.23 (4) (b)]

Does this chapter of your CMOM include:

- Organizational structure and positions (eg. organizational chart and position descriptions)
- Internal and external lines of communication responsibilities
- Person(s) responsible for reporting overflow events to the department and the public

- Legal Authority [NR 210.23 (4) (c)]

What is the legally binding document that regulates the use of your sewer system?

sewer ordinance

If you have a Sewer Use Ordinance or other similar document, when was it last reviewed and revised? (MM/DD/YYYY) 2017-01-01

Does your sewer use ordinance or other legally binding document address the following:

- Private property inflow and infiltration
- New sewer and building sewer design, construction, installation, testing and inspection
- Rehabilitated sewer and lift station installation, testing and inspection
- Sewage flows satellite system and large private users are monitored and controlled, as necessary
- Fat, oil and grease control
- Enforcement procedures for sewer use non-compliance

- Operation and Maintenance [NR 210.23 (4) (d)]

Does your operation and maintenance program and equipment include the following:

- Equipment and replacement part inventories
- Up-to-date sewer system map

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A management system (computer database and/or file system) for collection system information for O&M activities, investigation and rehabilitation

A description of routine operation and maintenance activities (see question 2 below)

Capacity assessment program

Basement back assessment and correction

Regular O&M training

Design and Performance Provisions [NR 210.23 (4) (e)]

What standards and procedures are established for the design, construction, and inspection of the sewer collection system, including building sewers and interceptor sewers on private property?

State Plumbing Code, DNR NR 110 Standards and/or local Municipal Code Requirements

Construction, Inspection, and Testing

Others:

Overflow Emergency Response Plan [NR 210.23 (4) (f)]

Does your emergency response capability include:

Responsible personnel communication procedures

Response order, timing and clean-up

Public notification protocols

Training

Emergency operation protocols and implementation procedures

Annual Self-Auditing of your CMOM Program [NR 210.23 (5)]

Special Studies Last Year (check only those that apply):

Infiltration/Inflow (I/I) Analysis

Sewer System Evaluation Survey (SSES)

Sewer Evaluation and Capacity Management Plan (SECAP)

Lift Station Evaluation Report

Others:

2. Operation and Maintenance

2.1 Did your sanitary sewer collection system maintenance program include the following maintenance activities? Complete all that apply and indicate the amount maintained.

Cleaning % of system/year

Root removal % of system/year

Flow monitoring % of system/year

Smoke testing % of system/year

Sewer line televising % of system/year

Manhole inspections % of system/year

Lift station O&M # per L.S./year

Manhole rehabilitation % of manholes rehabbed

Mainline rehabilitation % of sewer lines rehabbed

Private sewer inspections % of system/year

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Private sewer I/I removal % of private services

River or water crossings % of pipe crossings evaluated or maintained

Please include additional comments about your sanitary sewer collection system below:

None

3. Performance Indicators

3.1 Provide the following collection system and flow information for the past year.

Total actual amount of precipitation last year in inches
 Annual average precipitation (for your location)
 Miles of sanitary sewer
 Number of lift stations
 Number of lift station failures
 Number of sewer pipe failures
 Number of basement backup occurrences
 Number of complaints
 Average daily flow in MGD (if available)
 Peak monthly flow in MGD (if available)
 Peak hourly flow in MGD (if available)

3.2 Performance ratios for the past year:

Lift station failures (failures/year)
 Sewer pipe failures (pipe failures/sewer mile/yr)
 Sanitary sewer overflows (number/sewer mile/yr)
 Basement backups (number/sewer mile)
 Complaints (number/sewer mile)
 Peaking factor ratio (Peak Monthly:Annual Daily Avg)
 Peaking factor ratio (Peak Hourly:Annual Daily Avg)

4. Overflows

LIST OF SANITARY SEWER (SSO) AND TREATMENT FACILITY (TFO) OFERFLOWS REPORTED **

Date	Location	Cause	Estimated Volume (MG)
None reported			

** If there were any SSOs or TFOs that are not listed above, please contact the DNR and stop work on this section until corrected.

5. Infiltration / Inflow (I/I)

5.1 Was infiltration/inflow (I/I) significant in your community last year?

- Yes
- No

If Yes, please describe:

High flow levels due to heavy rainfall

5.2 Has infiltration/inflow and resultant high flows affected performance or created problems in your collection system, lift stations, or treatment plant at any time in the past year?

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- No

If Yes, please describe:

5.3 Explain any infiltration/inflow (I/I) changes this year from previous years:

More clear water entering system

5.4 What is being done to address infiltration/inflow in your collection system?

Manhole Rehab, grouting and televising

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

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Grading Summary

WPDES No: 0020346

SECTIONS	LETTER GRADE	GRADE POINTS	WEIGHTING FACTORS	SECTION POINTS
Influent	A	4	3	12
BOD/CBOD	A	4	10	40
TSS	A	4	5	20
Ammonia	A	4	5	20
Phosphorus	A	4	3	12
Biosolids	A	4	5	20
Staffing/PM	A	4	1	4
OpCert	A	4	1	4
Financial	A	4	1	4
Collection	A	4	3	12
TOTALS			37	148
GRADE POINT AVERAGE (GPA) = 4.00				

Notes:

- A = Voluntary Range (Response Optional)
- B = Voluntary Range (Response Optional)
- C = Recommendation Range (Response Required)
- D = Action Range (Response Required)
- F = Action Range (Response Required)

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Resolution or Owner's Statement

Name of Governing
Body or Owner:

Date of Resolution or
Action Taken:

Resolution Number:

Date of Submittal:

ACTIONS SET FORTH BY THE GOVERNING BODY OR OWNER RELATING TO SPECIFIC CMAR SECTIONS (Optional for grade A or B. Required for grade C, D, or F):

Influent Flow and Loadings: Grade = A

Effluent Quality: BOD: Grade = A

Effluent Quality: TSS: Grade = A

Effluent Quality: Ammonia: Grade = A

Effluent Quality: Phosphorus: Grade = A

Biosolids Quality and Management: Grade = A

Staffing: Grade = A

Operator Certification: Grade = A

Financial Management: Grade = A

Collection Systems: Grade = A

(Regardless of grade, response required for Collection Systems if SSOs were reported)

ACTIONS SET FORTH BY THE GOVERNING BODY OR OWNER RELATING TO THE OVERALL GRADE POINT AVERAGE AND ANY GENERAL COMMENTS

(Optional for G.P.A. greater than or equal to 3.00, required for G.P.A. less than 3.00)

G.P.A. = 4.00

**CITY OF EDGERTON
ORDINANCE No. 19-06
CREATE CHAPTER 32 "URBAN FORESTRY" AND REPEAL RELATED ORDINANCE SECTIONS RELATED TO
TREES WITHIN THE CITY OF EDGERTON, ROCK AND DANE COUNTIES, WISCONSIN**

Aldersperson _____ introduced the following Ordinance and moved its adoption:

THE COMMON COUNCIL OF THE CITY OF EDGERTON, ROCK AND DANE COUNTIES, WISCONSIN, DO
ORDAIN AS FOLLOWS:

The following Edgerton Ordinances shall be created, amended and/or repealed:

The following ordinances shall be **created** as follows:

Chapter 32, Urban Forestry

32.01 PURPOSE & INTENT.

This chapter establishes policies, regulations and standards necessary to insure that the community will continue to realize the benefits provided by its urban forest. Activities regulated include, but are not limited to, the planting, transplanting, removal, maintenance and protection of trees and shrubs within the City in order to eliminate and guard against dangerous conditions which may result in injury to persons using the streets, sidewalks or other public property; to promote and enhance the beauty and general welfare of the City; to prevent damage to any public sewer, water main, street, sidewalk or other public property; to protect trees and shrubs located in public areas from undesirable and/or unsafe planting, removal, treatment and maintenance practices; and to guard all trees and shrubs within the City against the spread of disease or pests. It is the intent of the City Council that the provisions of this subchapter shall apply to all the trees, shrubs, or plants growing in or upon any public right-of-way or other public lands and to all trees within the boundaries of the City.

32.02 DEFINITIONS.

The following terms, as used in this chapter, shall be defined as follows:

- (1) **PUBLIC TREE.** Shall mean any tree located within a public right-of-way or upon any other lands owned or leased by the City whether acquired by lease, purchase, gift, dedication, condemnation or otherwise.
- (2) **SHRUB.** Shall be defined as a deciduous or evergreen woody plant with an expected mature height of generally not more than fifteen (15') feet, with single or multiple trunks or multiple leaders.
- (3) **TREE.** Shall mean any woody plant usually with a single stem unbranched at the base, reaching a height of fifteen (15) feet or more.
- (4) **TREE ADVISORY BOARD.** Shall mean the board established under Section 32.03 and charged with implementation of this subchapter.

32.03 TREE ADVISORY BOARD.

- (1) **CREATION AND MEMBERSHIP.** The Edgerton Tree Advisory Board is hereby established to administer this chapter. The Tree Advisory Board consisting of 7 members. Of the members, one shall be an alderman and six shall be persons with relevant experience or significant contacts to the City of Edgerton (i.e. Resident, business or property owner, a person employed within the City, or one with other significant contacts or knowledge). Each member shall have, to the higher extent practicable, a known interest in Urban Forestry. The Mayor shall appoint the Board members subject to confirmation by the Common Council. Of the initial members so appointed, two shall serve a term of 1 year, two shall serve a term or 2 years, and three shall serve a term of 3 years. Thereafter, the term for each member shall be 3 years.

- (2) **POWERS AND DUTIES.** The Tree Advisory Board shall:
- (a) Provide for the care of all trees and shrubs planted in the rights-of-way of all streets or highways, or in any park or other public areas of the City;
 - (b) Prepare and recommend to the City Council an urban forestry management plan, which shall include provisions for the planting, maintenance and protection of all public trees, and make recommendations for amendments thereto as the Tree Advisory Board shall determine appropriate from time to time;
 - (c) Serve in an advisory capacity to the City Council on all issues relating to trees and shrubs located within street right-of-ways, parks, cemeteries, and other public places in the City; and to any other matter involving trees and shrubs that affect, or may affect, public areas;
 - (d) Prepare and maintain an inventory of trees and shrubs located in public areas within the City and on private property along streets where street trees cannot be planted due to site limiting factors;
 - (e) Adopt rules and regulations for the protection and maintenance of trees and shrubs located on public property, and to protect the public health, safety and welfare against dangers resulting from any trees and shrubs, including any regulations deemed necessary to protect against injury or damage caused by the spread of disease, insects or fungus;
 - (f) Identify, improve and promote desirable tree and shrub species within the City;
 - (g) Identify and maintain a list of tree and shrub species deemed to be nuisances due to their propensity to harbor pests or transmit diseases which endanger other trees or shrubs or the public health, safety and welfare. Any trees or shrubs so listed by the Board shall be deemed public nuisances within the meaning of Chapter 17.02 of this Code.
 - (h) Apply for county, state, federal and private grant funds for the City's urban forestry program;
 - (i) Recommend such persons or firms who are qualified in urban forestry to assist with the City's urban forestry program;
 - (j) Provide a forum for, and encourage, public comments on City tree and shrub projects and the urban forestry program;
 - (k) Encourage public participation in urban forestry practices and projects within the City and the surrounding extraterritorial area;
 - (l) Conduct an Arbor Day observance each year;
 - (m) Inform and educate City residents about the care of natural areas in their neighborhoods;
 - (n) Undertake programs for education of the public with regard to the benefits of urban trees, the proper selection, planting and care of urban trees and other matters relating to urban forestry as it deems appropriate.
 - (o) Maintain the "Tree City USA" status of the City.
 - (p) Provide plan review and technical assistance to the Planning & Zoning Commission or any other board, committee or commission of the City upon request, and provide technical advice and assistance with respect to matters affecting the urban forest to the public on such terms and conditions as determined by the board.
- (3) **LIMITATION ON REGULATIONS.** Except as provided in sub. (4), and notwithstanding the provisions of sub. (2), the regulations established by the Tree Advisory Board shall not apply to the extent they conflict with the applicable provisions of Chapters 22 or 23. The planting of any tree or shrub required or approved by the Planning Commission as part of a landscaping plan required under Chapter 22 or 23 shall not be prohibited by the regulations adopted by the Tree Advisory Board.
- (4) **EMERGENCY AUTHORITY.** In addition to the general powers of the Tree Advisory Board, and without limitation by sub. (3), the Tree Advisory Board may issue emergency orders to temporarily prohibit, limit, or regulate the planting, pruning, spraying, fertilizing, cutting, removal or handling of any tree or shrub, any species of either, or any brush, wood or other materials derived therefrom, within the City if deemed necessary to prevent threatened harm

to any tree or shrub or to the public health, safety or welfare. Any such order shall not become effective until posted in at least 3 public places within the City. The regulations shall be published as a Class I notice in the official City newspaper as soon as practicable after their adoption and upon any amendment. If the order applies only to an individual property, the order shall not be enforced until a copy thereof is served upon the owner of such property by personal delivery or certified mail. Emergency regulations adopted pursuant to this subsection shall remain in effect for a period determined by the Tree Advisory Board, but not longer than thirty (30) days, unless the extension thereof is approved by the City Council.

32.04 CITY FORESTER.

- (1) **APPOINTMENT.** The City Forester shall be appointed by, and shall serve at the pleasure of, the City Council.
- (2) **POWERS AND DUTIES.** The City Forester, subject to the advice of the Tree Advisory Board, shall have the following general powers and duties:
 - (a) To direct, manage, supervise, and control the City's urban forestry program including the planting, removal, trimming, maintenance, and protection of all trees and shrubs in or upon all public areas of the City;
 - (b) To enforce such rules, regulations, permit, and penalty procedures as deemed necessary and may do so by the issuance of administrative orders and/or municipal citations to effectuate the intent of this chapter.
 - (c) To inspect any trees, shrubs, vines, hedges, plants, logs or branches existing or growing upon any property within the City and to conduct surveys and testing/sampling to determine if any destructive or communicable disease or pest exists which may be detrimental to or endanger the good health and wellbeing of trees or other plant life. No additional consent from the private property owner or person in possession of the property is necessary to carry out such duties.
 - (d) To order the removal of a nuisance tree or shrub.
 - (e) To restrict or regulate tree maintenance activities within the City limits to reduce the spread of infectious diseases and/or insects.
 - (f) To provide information to the public concerning the urban forestry program and tree and shrub care.
 - (g) To implement and direct a City Urban Forestry Management Plan.
 - (h) To plant, remove, maintain, and protect all public trees and shrubs or cause such work to be done as may be necessary to preserve the beauty of public areas, and to protect life and property.

32.05 STANDARDS AND SPECIFICATIONS

- (1) The following standards and specifications, are hereby adopted and incorporated herein, and shall apply to all activities regulated by this chapter:
 - (a) Forestry Specifications for Construction on Public Areas with such amendments as may be approved by the Committee from time to time;
 - (b) ANSI A300-1995 "American National Standard for Tree Care Operations - Tree, Shrub and Other Woody Plant Maintenance - Standard Practices Part 6" or the most recent version thereof.
 - (c) ANSI Z60.1-1996 "American Standard for Nursery Stock" or most recent version thereof.
 - (d) City of Edgerton Species Recommendations and Prohibited Tree/Shrub List as approved by the Tree Advisory Board under 32.03(2)(g).

32.06 PUBLIC NUISANCES, DECLARATION AND ABATEMENT.

- (1) **DECLARATION:** The City Forester shall have the right to declare as a public nuisance any tree or shrub or part thereof, including firewood and other plant material, existing anywhere in the City which is:
 - (a) Interfering with the use of any public area,
 - (b) Infected with a plant disease,
 - (c) Infested with insects, or
 - (d) Endangering the life, health or safety of other trees/shrubs, persons or property.
- (2) **LIST OF NUISANCE TREES AND SHRUBS:** City Forester shall maintain and make available to the public a list of nuisance trees and shrubs as established by the Tree Advisory Board.
- (3) **ABATEMENT OF PUBLIC NUISANCES.**
 - (a) **Public Areas.** All trees, shrubs or parts thereof on public property shall be subject to treatment and/or removal when it is determined by the City Forester or his/her designee that the trees or shrubs constitute an immediate or future health or safety hazard or when they have become unsightly, infested, diseased or dead. The City Forester or his/her designee shall have the discretion to determine the most appropriate course of action to prevent or treat such conditions.
 - (b) **Private Premises.** No person shall permit any nuisance tree or shrub as determined under 32.06, 32.03(2)(g), or Chapter 17 of this Code to remain on any premises owned or controlled by such person within the City. Upon determination by the City Forester that any nuisance tree or shrub exists on any private premises, he/she shall order the owner or tenant having charge of such premises to treat, remove or otherwise control such tree or shrub in such manner as will abate the nuisance. Within notice time as specified in the order, the person shall cause treatment, removal or control of the nuisance tree or shrub as directed in the order. If the owner or tenant, shall refuse or neglect to comply with the terms of the order within the time specified, the City Forester shall cause the public nuisance to be abated and shall report the expense thereof to the City Clerk who shall enter it as a special charge against the property upon which the nuisance is located. No damage shall be awarded to the owner for the destruction of any tree, wood, or any part thereof pursuant to this section.
 - (c) **Stump Removal.** The property owner shall treat, remove, or cause to be removed the tree stump of a nuisance tree that may endanger the health of other trees.
 - (d) **Determination:** If the City Forester is unable to determine with reasonable certainty that a tree in or upon private premises is a nuisance, the City Forester shall notify the Wisconsin Department of Agriculture at Madison, Wisconsin, and shall proceed as provided in subsection (3)(b) of this section upon receipt of a positive report from the Department.
 - (e) **Special Charge for costs of abatement and treatment.**
 1. The City Forester shall keep strict account of the costs of work done under this section and shall report to the City Clerk all work done for which a special charge is to be made, stating and certifying the description of the land, lots, parts of lots or parcels of land and the amounts chargeable to each lot or parcel and such amounts shall be levied as a special charge against said parcels or lots in the same manner as other special taxes.

32.07 PLANTING, MAINTENANCE, AND REMOVAL OF PUBLIC TREES AND SHRUBS.

- (1) **URBAN FORESTRY MANAGEMENT PLAN.** The Urban Forestry Management Plan adopted by the Tree Advisory Board may contain any or all of the following elements:
 - (a) **Street Tree Planting Plan.** A proposed plan for the orderly and systematic planting of new or replacement trees in the terraces or boulevards along City streets in a manner which minimizes conflicts between trees and other public use of streets, facilitates care of the trees, and enhances the aesthetics of the City streetscapes. The plan shall designate the appropriate species of tree(s) for each street segment and shall take into consideration the mature size and requirements of the species, the width of the terrace or boulevard, depth of

building setbacks, location of street lights, safety signals and signs, the location of overhead or underground public utility facilities, the location of existing desirable trees and any other relevant site factors. The plan shall be consistent with the requirements of Chapter 22 of this Code and shall contain the following provisions which are enforceable with this chapter:

1. No trees shall be planted on any City street until the grade of such street and terrace has been established.
 2. No tree shall be planted closer than 20 feet from an intersecting street line.
 3. No tree shall be planted under an overhead wire that reaches a maximum height of greater than 18 feet.
- (b) Tree Maintenance. Plans for the maintenance of trees located in public places to preserve the function or beauty of such public places in accordance with the applicable City maintenance standards. The plan shall provide plans for the trimming, removal, pruning, spraying, fertilizing or other treatment of any tree on any public place when necessary or appropriate to promote the general welfare, improve the City's appearance or alleviate any unsafe condition. Plans shall include the following provisions which are enforceable with this chapter:
1. Branches over streets and alleys shall be trimmed to at least 14 feet above the ground.
 2. Branches over sidewalks shall be trimmed to at least 9 feet above the ground.
- (2) **PROHIBITED ACTS.** It shall be unlawful for any person to:
- (a) remove, destroy, cut, deface or injure any tree or tree roots existing on any public place in the City;
 - (b) attach any rope, wire, chain, sign or any other device to any tree on any public place in the City except as approved by the City Forester or the Tree Advisory Board;
 - (c) Permit any toxic chemical, gas, smoke, oil, or other injurious substance to seep, drain, or be emptied upon or about any public tree or shrub, excluding routine winter street maintenance by City Departments.
 - (d) participate in the erection, alteration or removal of any building or structure in the City without assuring that any tree upon any public place in the vicinity of such operation is provided with a good and sufficient guard or protection so as to prevent injury, damage or defacement to such tree arising out of, in connection with or by reason of, such operation. The sufficiency of the guard or protection shall be determined by the City Forester;
 - (e) Interfere with the Tree Advisory Board or the City Forester when carrying out their responsibilities under this chapter;
 - (f) Plant, move, remove, prune, spray, or otherwise maintain any public tree or shrub except pursuant to a permit issued by the City Forester pursuant to sub. (3);
 - (g) Plant or maintain any tree or shrub which is prohibited or which is declared a nuisance pursuant to this Chapter and Chapter 17 of this Code or by regulation adopted by the Tree Advisory Board.
 - (h) Remove or misuse any device placed to protect a public tree or shrub.
 - (i) Fail or refuse to comply with any lawful rule, regulation or order issued by the City Forester or Tree Advisory Board under this subchapter.
 - (j) Transport within, into, or out of the City any infected wood or material without first securing a permit from the City Forester.
- (3) **PERMIT REQUIRED.**
- (a) The City Forester may issue a permit to any person allowing such person to plant, move, remove, prune or otherwise maintain any public tree or shrub in accordance with this subsection.
 - (b) Application and Approval. Any person, desiring to plant, move, remove, prune or otherwise maintain any public tree or shrub shall apply in writing to the City Forester for a permit to do such work. Such application shall specify the location and description of the proposed work. Such permit may be issued if the City Forester determines that the proposed work is necessary and in accord with the purposes of this subchapter, taking into account the safety, health, and welfare of the public, location of utilities, public sidewalks, driveways and street

lights, general character and aesthetic quality of the area in which the tree or shrub is located or proposed to be located, and the soil conditions and physiological needs of the tree or shrub, and that the work will be performed by a person capable of completing the work without unnecessary risk of injury or damage. Public Utilities and other entities maintaining their infrastructure must contact the City Forester prior to planting, moving, removing, pruning or otherwise maintaining any public tree or shrub

- (c) Permit Form, Expiration, Compliance, and Inspection. Permits shall be issued by the City Forester on the standard form for this purpose and shall include a description of the work to be done and shall specify the genus, species, variety, size, grade, and location of trees or shrubs to be planted, if any. Any work done under such permit shall be performed in strict compliance with the terms thereof and with the specifications and standards set forth in 32.05. The City Forester shall inspect all work performed pursuant to this section. Permits issued under this section shall specify an expiration date not to exceed six (6) months after the date of issuance.
- (d) Permit Exemptions. No permit shall be required to water or fertilize any public tree or shrub or to take the necessary action to guard the public safety or clear the public way in the event of a storm, accident or other emergency.
- (e) Request to Remove Trees. Should any property owner desire to have a public tree removed that is adjacent to his/her property - other than a dead, dangerous, or undesirable variety - it shall be removed by a tree expert or by an agent of the City at the expense of the property owner, and then, only after a permit for said removal has been obtained from the City Forester.

32.08 TREE PROTECTION DURING CONSTRUCTION.

- (1) **REVIEW OF PERMIT APPLICATIONS.** The City Forester shall review all applications for approval of construction in public rights-of-way and other public areas under Chapter 10, and shall make recommendations to the Building Inspector as to conditions or requirements necessary to adequately protect public trees and trees on property adjacent to such public areas from damage due to the construction work. Such recommendation shall include compliance with all applicable standards contained in 32.05 unless the Forester shall determine that compliance therewith is unnecessary or impracticable under the circumstances.
- (2) **CITY CONTRACTS.** All City contracts for public construction shall include or incorporate by reference the standards contained in 32.05 to the extent applicable to the construction project, provided, however, that the City Forester may waive any standards the Forester determines to be unnecessary or impracticable under the circumstances. The decision of the Forester under this subsection shall be reviewable by the City Administrator.

32.09 PRIVATE TREE MAINTENANCE.

- (1) **OAK PRUNING REGULATED.** No person shall prune, cut or otherwise injure any oak tree on public or private property between April 1 and October 1 in any year, provided, however, that the Tree Advisory Board may authorize the issuance of permits to allow such pruning as may be necessary to protect the public safety and shall specify any conditions thereon deemed necessary to prevent the spread of Oak Wilt Disease.
- (2) **PRIVATE TREES.** Property owners having trees or shrubs growing on their property outside of public right-of-way shall maintain such trees and shrubs such that they do not obstruct street lights, traffic signs or signals, street name signs or the free use of public ways and do not interfere with overhead or underground utility facilities.

32.10 PENALTY.

- (1) **GENERAL.** Any person who shall violate any provision of this chapter shall, in addition to any other remedy provided in Section 1.06 of this Municipal Code, be subject to a civil forfeiture of:
 - (a) not less than \$50.00 nor more than \$500.00 for a first violation;

- (b) not less than \$100.00 nor more than \$500.00 for second and subsequent violations.
- (2) **CONTINUING VIOLATIONS.** Each day a violation continues shall constitute a separate offense.
- (3) **PRIVATE REMEDIES PRESERVED.** Nothing in this subchapter shall be construed in any way to restrict or limit the rights of private parties to pursue whatever private legal remedies they may have as a result of any nuisance.

32.11 APPEALS.

Any person aggrieved by the administration or interpretation of any of the terms or provisions of this chapter by any City officer may, within ten (10) days after notice of the action appealed from, appeal to the Tree Advisory Board which may reverse, affirm or modify, in whole or part, the order, requirement, decision or determination of such officer. Any person aggrieved by a decision of the Tree Advisory Board may appeal that decision to the City Council. Any appeal to the City Council shall be filed in writing not later than 30 days after the date of the decision appealed or be barred.

Create Section **2.05(12) TREE ADVISORY BOARD.** See Chapter 32

The following Ordinances shall be amended as follows:

10.19 STREET AND PUBLIC TREES. See Chapter 32

17.05 DISEASED TREES. (See chapter 32)

17.03 PUBLIC NUISANCES AFFECTING HEALTH.

The following are hereby declared to be public nuisances affecting health:

(14) OBJECTIONABLE VEGETATIVE COVER AND NOXIOUS WEEDS.

- 2. Every owner or occupant of any premises having a lawn shall cut and maintain such lawn at a height not exceeding six inches on such premises as well as the boulevard in front of or along such premises. In this section "yard" means an open space at grade on the same lot as a building or structure located between the main building and the adjoining lot line and/or street line. The measurement of a yard shall be the minimum horizontal distance between the lot line and the building or structure.

Yards shall be provided with adequate lawn, groundcover or vegetation, hedges or bushes, equal to at least ten percent of the total lot area. All areas that are not covered by vegetation shall be treated to prevent dust or the blowing or scattering of dust particles into the air. ~~All trees, bushes or vegetation which overhang a public entrance, street or sidewalk shall be properly trimmed to avoid obstruction of the view and movement of vehicles and pedestrians, which shall be at least 9 feet above the surface of such public sidewalk and at least 14 feet above the surface of such street.~~

17.06 PUBLIC NUISANCES AFFECTING PEACE AND SAFETY.

The following acts, omissions, places, conditions and things are hereby declared to be public nuisances affecting peace and safety, but such enumeration shall not be construed to exclude other nuisances affecting public peace or safety coming within the definition of sec. 17.02.

- ~~(2) **TREE ROOTS.** All trees placed or set so close to any street that the roots of the same penetrate the public sewer.~~
- ~~(3) **TREE LIMBS.** All limbs of trees which project over a public sidewalk or street and which are less than nine feet above the surface of such public sidewalk and fourteen feet above the surface of such street.~~

(17) BUSHES OBSTRUCTING VIEW. All shrubs or bushes located near any street, alley, sidewalk or right of way used by the public which obstruct the view of persons traveling thereon.

The following Ordinances shall be repeal the following:

10.19 STREET AND PUBLIC TREES.

- (1) DEFINITION.** Any tree that has been or will be planted in the terrace along any public street, public alley, or public place, and in accordance with the provisions or the section.
- (2) INJURY TO PUBLIC TREES.** No person, without a written permit from the Director of Public Works, shall plant, cut, prune, break, climb, injure, or remove any tree, plant, or shrub growing in a public highway, public alley, or public place, or cut, disturb, or interfere in any way with the roots of any tree, plant, or shrub on a public highway, public alley, or public place; or spray with any chemical or insecticide any tree, plant, or shrub in a public highway, public alley, public place; or place any rope, sign, poster, or other fixture on a tree in a public highway, public alley, or public place; or injure, misuse, or remove any device placed to protect such tree, plant or shrub on a public highway, public alley, or public place.
- (3) INTERFERENCE WITH DIRECTOR OF PUBLIC WORKS ORDERS.** No person shall delay or interfere with the Director in planting, pruning, spraying, or removing of trees or shrubs living or dead, in that part of any street lying between the lot line and the curb line or in the center of side plots of boulevards in the City, or from removing stone, cement, lumber, or other substance placed against a tree or shrub in any public place in said City.
- (4) TREE PLANTING PERMIT REQUIRED.** No person shall plant any tree upon any street lying between the lot line and the curb line without first securing a written permit from the Director and such permit, if issued, shall be subject to the following conditions and restrictions:
 - (a)** No trees shall be planted on any City street until the grade of such street has been established and cut or filled to the established grade.
 - (b)** No tree shall be planted on a street where the width of the terrace between the walk and the curb line is less than 8 feet unless approved by the Public Works Director.
 - (c)** No tree shall be planted closer than 10 feet from an intersecting street line.
 - (d)** All trees shall be placed at least 30 feet apart on lots with a frontage of less than 70 feet and not less than 35 feet apart on all other lots.
 - (e)** Where trees are permitted between walk and curb, all trees will be placed 4 feet from the outside edge of walk.
 - (f)** The following shall not be planted in the streets and alleys of the City:
 1. No elm of any type until such time as one immune to Dutch Elm Disease has been developed.
 2. No box elder.
 3. No nut trees.
 4. No willow, cottonwood, poplar, catalpa, or native honey locust.
 5. No shrubs of any kind.
 - (g)** It is prohibited to plant trees that reach a maximum, mature height or greater than 18 feet under any overhead electric wires.
 1. The Director of Public Works shall maintain a list of appropriate trees that are permitted to be planted under overhead electric wires.
- (5) TRIMMING OF STREET TREES.** All trees planted in accordance with the provisions of this section upon any public street, public alley, or public place shall be trimmed, pruned, or removed in accordance with the standards in this section by the Department of Public Works or a tree

expert hired by the City to do so. The City is not obligated to trim street trees if they comply with the following standards:

- (a) Branches over streets and alleys will be kept at 14 feet or above clearance height.
- (b) Branches over sidewalks will be kept at 9 feet or above clearance height.
- (6) **REMOVAL OF DANGEROUS TREES.** The City shall remove all dead and dangerous trees and may replace the same with approved varieties where they can be planted in compliance with the regulations hereby established.
- (7) **LARGER TREES.** Whenever the City decides to replace a tree under subsection (6) above, the owner or occupant of the lot or parcel or real estate upon which said tree or trees are to be planted may make application to the Director for a permit to plant a larger tree or other approved variety than the City proposes to plant.
- (8) **REMOVAL OF TREES AT EXPENSE OF PROPERTY OWNER.** Should any property owner desire to have a street tree removed other than a dead, dangerous, or undesirable variety, it shall be removed by a tree expert or by an agent of the City at the expense of the property owner, and then, only after written permission for said removal has been obtained from the Director of Public Works.
- (9) **PENALTY.** The penalty provision of subsection 10.24 shall apply to any violation of ordinance.

17.05 DISEASED TREES.

- (1) **PUBLIC NUISANCE.** The Common Council, having determined that the health of any tree within the City that is threatened by a fatal, contagious disease such as Dutch Elm Disease or Emerald Ash Borer, hereby declares the following to be public nuisances:
 - (a) Any living or standing diseased tree or part thereof infected with a disease or which harbors any disease carrying agent.
 - (b) Any dead, diseased tree or part thereof, including logs, branches, stumps, firewood or other material in which a disease carrying agent can harbor.
- (2) **INSPECTION.** The Building Inspector shall inspect or cause to be inspected all premises and places within the City periodically to determine whether any public nuisance as defined in subsection (1) of this section exists thereon, and shall also inspect or cause to be inspected any tree or wood reported or suspected to be infected with a contagious disease.
- (3) **ABATEMENT OF NUISANCE.**
 - (a) If the Building Inspector upon inspection and examination determines that any public nuisance as herein defined exists in or upon any public street, alley, park or other public place, including the terrace strip curb and lot line, within the City, and that the danger to other trees within the City is imminent, he shall immediately cause it to be removed and burned or otherwise abate the same in such manner as to destroy or prevent as fully as possible the spread of the disease or the insect, pests or vectors known to carry such diseases.
 - (b) If the Building Inspector determines with reasonable certainty that any public nuisances as herein defined exists in or upon private premises and that the danger to other trees within the City is imminent, he shall immediately serve upon the owner of such property, if he can be found, or upon the occupant thereof, a written notice to abate such nuisance within thirty (30) days of the service of said notice. If such owner or occupant does not abate or provide evidence of suitable treatment of said nuisance within the time limited, the Building Inspector shall cause the same to be abated. No damage shall be awarded to the owner for destruction of any tree, wood or any part thereof pursuant to this section.
 - (c) If the Building Inspector is unable to determine with reasonable certainty or not a tree in or upon private premises is infected with a contagious disease, the Inspector shall notify the

- Wisconsin Department of Agriculture at Madison, Wisconsin, and shall proceed as provided in subsection (3)(b) of this section upon receipt of a positive report from the Department.
- (d) In all cases where the Building Inspector shall determine upon inspection that any public nuisance as defined herein exists in or upon any public or private premises, but that the danger to other trees within the City is not imminent because of dormancy, he shall make a written report of his findings to the Common Council and shall proceed as provided in Section 27.09(4), Wis. Stats.
- (4) TREATMENT OF DISEASED TREES.** Whenever it is determined in accordance with subsection (2) of this section that any tree or part thereof is infected with a contagious disease, the Building Inspector may cause to be sprayed or otherwise treated all high value trees of similar species within one thousand (1,000) foot radius thereof with an effective pesticide; providing such treatment shall be performed during the appropriate season.
- (5) ASSESSMENT OF COSTS OF ABATEMENT AND TREATMENT.**
- (a) The entire cost of abating any public nuisance with regard to diseased trees or of treating any diseased tree or part thereof may be chargeable to and assessed against the parcel or lot abutting on the street, alley, boulevard or parkway upon or in which such tree is located or the parcel or lot upon which such tree stands. The cost of abating any such nuisance or treating any diseased tree or part thereof which is located in or upon any park or public grounds shall be borne by the City.
- (b) The Building Inspector shall keep strict account of the costs of work done under this section and shall report to the City Administrator all work done for which assessments are to be made, stating and certifying the description of the land, lots, parts of lots or parcels of land and the amounts chargeable to each lot or parcel and such amounts shall be levied and assessed against said parcels or lots in the same manner as other special taxes. Before such assessments are entered on the tax roll, the Common Council shall hold a public hearing on the proposed assessments and shall give advance notice in accordance with Section 4.11.
- (6) TRANSPORTING OF WOOD PROHIBITED.** No person shall transport within, into, or out of the City any infected wood or material without first securing the written premises of the Building Inspector.
- (7) INTERFERENCE WITH BUILDING INSPECTOR.** No person shall prevent, delay, or interfere with the Building Inspector or any of his agents or employees while they are engaged in the performance of duties imposed by this section. (Ord. 12-13)

This Ordinance shall be in full force and effect after its passage and publication.

Seconded by Alderperson:

Roll Call: Ayes Noes

1st Reading: June 17, 2019

2nd Reading:

Adopted:

Published:

Dated:

Christopher W. Lund, Mayor

Ramona Flanigan, City Administrator

STATE OF WISCONSIN)

)ss.

COUNTY OF ROCK)

I, Ramona Flanigan, City Administrator, City of Edgerton, Rock and Dane Counties, Wisconsin, do hereby certify that the foregoing is a true and correct copy of the ordinance adopted by the Common Council of the City of Edgerton at its regular meeting the _____ day of _____, 2019.

Ramona Flanigan, City Administrator